REMARKS

[0002]   Applicant respectfully requests reconsideration and allowance of all of the claims of the application. The status of the claims is as follows:

- Claims 1, 4-6, 8-11, 13, 15-17, 20-27, 30-41, and 44 are currently pending

- Claims 1, 17, 25, and 31 are amended herein

- New claim 48 is added herein

[0003]   Support for the amendments to claims 17 and 31 is found in the specification at least at page 36, paragraph 4.

Cited Documents

[0004]   The following documents have been applied to reject one or more claims of the Application:

- Graupner: Graupner et al, U.S. Patent No. 7,035,930

- Abu El Ata: Abu El Ata, U.S. Patent No. 6,311,144

Claims 1, 4-6, 8-11, 13, 15-17, 20-27, 30-41, and 44 Are Non-Obvious Over Graupner in view of Abu El Atu

[0005]   Claims 1, 4-6, 8-11, 13, 15-17, 20-27, 30-41, and 44 stand rejected under 35 U.S.C. § 103(a) as allegedly being obvious over Graupner in view of Abu El Atu. Applicant respectfully traverses the rejection. Applicant also notes that a number of other previously cancelled claims have been rejected. Applicant respectfully directs the

Examiner to the list of currently pending claims cited above. In responding to the Examiner's rejection, Applicant directs its remarks to these currently pending claims.

Independent Claim 1

[0006]   Applicant submits that the Office has not made a prima facie showing that independent claim 1 is obvious in view of the cited references. Applicant submits that the cited references do not teach or suggest at least the following features of this claim, as amended (with emphasis added):

> using, by one or more computing devices, a system definition model in a development phase of a system to design the system, wherein the system is an application, wherein the using comprises including, in the system definition model, constraints that must be satisfied by an environment in order for the system to be run in the environment
>
> …
>
> validating, by the one or more computing devices, that the constraints are satisfied during at least the design of the system

[0007]   Claim 1 has been amended to recite "validating, by the one or more computing devices, that the constraints are satisfied during at least the design of the system." In the previous response, claim 25 also recited validating. Specifically, claim 25 recited "means operable by the processor for validating that the constraints are satisfied during the design, deployment, and management of the system." In rejecting claim 25, the Examiner did not pointed to any portion of either reference as including means for validating constraints.

[0008]   Applicant has searched both cited references and cannot find any teaching or suggestion of such validating. Thus, Applicant respectfully submits that the combined cited references do not teach the recitations of previously (and currently) pending claim 25 and, by extension, do not teach the recitations of claim 1.

[0009]   Consequently, the cited references do not teach or suggest all of the elements and features of this claim. Accordingly, Applicant respectfully requests that the rejection of this claim be withdrawn.

Independent Claim 17

[0010]   In light of the amendments presented herein, Applicant submits that the rejection of independent claim 17 is moot. Specifically, the cited references do not teach or suggest at least the claimed (with emphasis added):

> use a system definition model in a development phase of a system to design the system, wherein the system is an application, the system definition model includes a representation of an environment in which the application is to be deployed, and the using includes binding the application to the representation in the system definition model, the representation including definitions for hosts of the environment of their application components and constraints on the configuration of their applications

[0011]   The new recitations of claim 17 have not been mentioned in any previous version of the claims and therefore have not been rejected by the Examiner. Accordingly, at least by virtue of these new recitations, claim 17 is patentable over the cited references.

Independent Claims 25 and 31

[0012]   Claim 25 includes recitations similar to those discussed above with regard to claim 1. Accordingly, for at least the same reasons, claim 25 is patentable over the cited references.

Claim 31 includes recitations similar to those discussed above with regard to claim 17. Accordingly, for at least the same reasons, claim 31 is patentable over the cited references.

Dependent Claims 4-6, 8-11, 13, 15, 16, 20-24, 26, 27, 30, 32-41, and 44

[0013]   Claims 4-6, 8-11, 13, 15, 16, 20-24, 26, 27, 30, 32-41, and 44 ultimately depend from independent claims 1, 17, 25, and 31. As discussed above, claims 1, 17, 25, and 31 are patentable over the cited documents. Therefore, claims 4-6, 8-11, 13, 15, 16, 20-24, 26, 27, 30, 32-41, and 44 are also patentable over the cited documents of record for at least their dependency from a patentable base claim. These claims may also be patentable for the additional features that each recites.

Conclusion

[0014]   If any issues remain that would prevent allowance of this application, **Applicant requests that the Examiner contact the undersigned representative before issuing a subsequent Action.**

Respectfully Submitted,

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Representative for Applicant

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